

Appl. No. 10/064,412  
Amdt. dated August 31, 2005  
Reply to Office action of June 16, 2005

## REMARKS

1. Rejection of claims 1, 2, 6, 7, 8, 9, 11, 12, 13, 14, and 15 under 35 U.S.C. 102(e) as being unpatentable over Park (US 6,493,301) in view of Satoh (US 6,021,101):

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*Regarding claim 1:*

Claim 1 is amended to explicitly recite the order to the steps performed, which was mentioned in the previous reply. The order of steps is clearly mentioned in the original disclosure, and in Fig.1 in particular. No new matter is entered. This order is not taught or suggested by the combination of art or by Park or Satoh separately.

The invention aims to pre-determine at least two sub-ranges based on defect packets as breakpoints. The combination of Park and Satoh is limited to what Park and Satoh teach or suggest, namely straightforward, serial packet-wise writing. Neither art teaches or suggests pre-determination or pre-calculation of sub-ranges, rather, all ranges are merely an end result of packets being written in series. The applicant argues that this pre-determination of sub-ranges, as set forth in the now explicit order of the claimed steps, is novel and unobvious over the cited art.

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For example, to be performed in advance of the subsequent step (f) and yet after completion of steps (b)-(d), the amended claim 1 recites "after completing step (d), splitting the write packet range into at least two sub-ranges based on the breakpoints". Where Park and Satoh, and thus the combination of art, teaches a sequential, piecewise writing of packets with decisions being made based on the instantaneous state of writing, the steps of the amended claim 1 require pre-determination of the sub-ranges.

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As mentioned in the disclosure, the predetermination of sub-ranges can reduce hardware

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and software requirements, that is, the "range split methods simplify the complexity of the related read/write procedures and reduce the required capacity of DRAM buffer required for the read/write procedures of a CD-MRW" (from "Summary of Invention").

5 *Claim 12:*

Claim 12 is directed at reading where claim 1 is directed at writing. Thus, similar amendments have been made to claim 12 and the above comments made for claim 1 apply in a similar way to claim 12. The order of steps is clearly mentioned in the original  
10 disclosure, and in Fig.5 in particular. No new matter is entered.

Reconsideration of claims 1, 2, 6, 7, 8, 9, 11, 12, 13, 14, and 15 is respectfully requested in view of the amendments to claims 1 and 12 and the above discussion. Claims 2, 6, 7, 8,  
15 9, 11, 13, 14, and 15 are dependent and should be allowed if claims 1 and 12 are allowed.

2. Rejection of claims 3, 5, and 10 under 35 U.S.C. 103(a) as being unpatentable over Park and Satoh as applied to claims 1 and 2 above, and further in view of Charnell et al. (US 2002/0029357):

20 Claims 3, 5, and 10 are dependent on amended claim 1.

The applicant respectfully requests reconsideration of claims 3, 5, and 10 in view of the amendment to claim 1. Claims 3, 5, and 10 should be allowed if claim 1 is allowed.

25 3. Rejection of claim 4 under 35 U.S.C. 103(a) as being unpatentable over Park, Satoh, and Charnell as applied to claim 3 above, and further in view of Hashimoto (US 6,108,289):

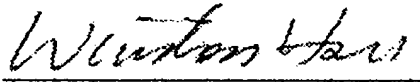
Appl. No. 10/064,412  
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Claim 4 is dependent on claim 3.

The applicant respectfully requests reconsideration of claim 4 in view of the amendment to claim 1. Claim 4 should be allowed if claim 3 is allowed.

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Sincerely yours,



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15

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